

**DEPARTMENT OF CONSUMER AFFAIRS
LEGISLATIVE DIGEST
2006 Legislative Session**

B. BILLS BY DCA BOARDS, BUREAUS, & PROGRAMS

(1) ACCOUNTANCY

**AB 1868
Bermudez**

Accountancy: Licensure

**Enacted
Chapter 458**

Extends the January 1, 2006, operative date and revises the requirements for the practice privilege program under which foreign and out-of-state accountants and accounting firms must obtain a California permit or registration prior to practicing in this state, to January 1, 2011.

**SB 503
Figueroa**

Accountants: Peer Review

**Enacted
Chapter 447**

Extends to September 1, 2011, the final submission date for the Board of Accountancy's report and recommendation on the implementation of the peer review program.

(2) ACUPUNCTURE

**AB 2152
Chan**

Acupuncture: Practice by Health Care Professionals

**Failed in
Assembly
Business &
Professions
Committee**

Would have removed the exception in current law that allows physicians and surgeons, dentists and podiatrists to practice acupuncture without obtaining an acupuncture license.

**AB 2821
Huff**

California Asian Medicine Board

**Failed in
Senate
Business,
Professions, &
Economic
Development
Committee**

Would have changed the name of the California Acupuncture Board to the California Asian Medicine Board.

**SB 412
Figueroa**

Massage Therapy Organization

**Failed on the
Assembly
Floor**

Would have provided for the certification of massage practitioners and massage therapists by the Massage Therapy Organization (organization), made the organization subject to review by the Joint Committee on Boards, Commissions, and Consumer Protection, and prohibited a city, county, or other political jurisdiction from enacting or enforcing specified ordinances relating to the practice of massage against an individual who was certified under the provisions of this bill.

(3) ALL BOARDS / BUREAUS / COMMISSIONS / PROGRAMS

AB 1302 Horton, Jerome	<u>Office of Administrative Law: Regulations</u> Revises the current procedures for state agencies to adopt emergency regulations for submittal and approval by the Office of Administrative Law.	Enacted Chapter 713
AB 2404 Klehs	<u>State Government: Reports: Declarations</u> Would have required all written reports that are required to be submitted to the Legislature by any state agency, board, or commission, to include a signed statement by the head of that agency, or chair of the board or commission, declaring that the contents of the report are true, accurate, and complete to the best of his/her knowledge, and imposed a fine up to \$20,000 if the head of that agency submitted information he or she knew was false.	Vetoed
AB 2591 Keene	<u>State Agencies: Accounts and Reports</u> Until July 1, 2010, requires specified state agencies to submit to the Department of Finance an annual report on the status of that agency's liquidated and delinquent accounts as of the end of the previous fiscal year and efforts made by the agency to collect on those accounts.	Enacted Chapter 506
SB 768 Simitian	<u>Identity Information Protection Act of 2006</u> Would have established interim protections to apply to remotely readable identification documents that are created, mandated, purchased, or issued by government entities.	Vetoed
SB 1452 Speier	<u>State Audits</u> Requires state agencies to conduct their audits under the specific standards described by the Institute of Internal Auditors or the Government Auditing Standards issued by the Comptroller General of the United States and provides that those agencies with an aggregate spending budget of \$50 million shall consider establishing an audit function.	Enacted Chapter 452
SB 1852 Judiciary Committee	<u>Maintenance of the Codes</u> Makes numerous technical changes in the California codes that have been recommended by the Office of Legislative Counsel.	Enacted Chapter 538

(4) ARCHITECTS

AB 2914 Leno	<u>Limited Liability Partnerships: Architecture</u> Among other things, extends the sunset date of January 1, 2007, for architecture limited liability partnerships (LLP) and foreign LLPs to January 1, 2012.	Enacted Chapter 426
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(5) ATHLETIC COMMISSION

SB 1397
Lowenthal

Athletic Trainers: Registration

Vetoed

Would have prohibited, on and after July 1, 2007, a person from representing himself as an "athletic trainer," "certified athletic trainer," "registered athletic trainer," or other variation of these terms, unless that person was registered as an athletic trainer by an athletic training organization pursuant to the provisions of this bill, and provided that a violation of this prohibition would have been an unfair business practice.

(6) AUTOMOTIVE REPAIR

AB 226
Bermudez

Automotive Technology Education Reimbursement

**Died in
Senate
Appropriations
Suspense**

This urgency bill would have created the Automotive Career and Technical Education Account in the Vehicle Inspection and Repair Fund of the Bureau of Automotive Repair.

AB 578
**Horton,
Shirley**

Air Pollution: Smog Check Repair Stations

**Died in
Senate
Transportation
& Housing
Committee**

Would have required the Department of Consumer Affairs to, by July 1, 2007, establish a system for reporting the quantities of emissions reductions for each licensed smog check repair station by repairs that have been performed on failing vehicles, and to make that information available to the public.

AB 1870
Lieber

Air Pollution: Motor Vehicle Inspection and Maintenance

**Enacted
Chapter 761**

Among other things, requires the Department of Consumer Affairs to adopt regulations to incorporate a visible smoke test into the motor vehicle inspection program by January 1, 2008.

SB 1849
**Business,
Professions
& Economic
Development
Committee**

Professions and Vocations – Automotive Repair

**Enacted
Chapter 760**

Makes technical and clarifying updates to existing law within the Department of Consumer Affairs, as well as, the Department of Real Estate.

(7) BARBERING & COSMETOLOGY

AB 409
Yee

Disciplinary Actions: Suspension

**Enacted
Chapter 381**

Provides that the Board of Barbering and Cosmetology may temporarily suspend any license without advance hearing, pursuant to an inspection of an establishment where health and safety laws have been violated and a citation issued, if in the opinion of the executive officer of the board or other duly authorized employees, that the action is necessary to protect the public health and safety.

AB 861 Bass	<u>Barbering and Cosmetology: Licensure</u>	Enacted Chapter 411
	Requires the Board of Barbering and Cosmetology to conduct a study on the effects of current policies and laws on the Board that may create unnecessary barriers to employing people with criminal records and issue probationary licenses to applicants when specific criteria are met.	
AB 1793 Bermudez	<u>Barbering and Cosmetology: Threading</u>	Enacted Chapter 149
	Revises the definition of “threading” in the Barbering and Cosmetology Act to include the incidental trimming of eyebrow hair.	
SB 1474 Figueroa	<u>State Board of Barbering and Cosmetology</u>	Enacted Chapter 253
	Extends the sunset date of the Board of Barbering and Cosmetology (Board) until July 1, 2008, and requires the Board to annually elect officers from among its members, each of whom would hold office for a term of one year.	

(8) BEHAVIORAL SCIENCES

AB 1852 Yee	<u>Licensed Mental Health Service Provider Education Program</u>	Enacted Chapter 557
	Adds certain psychology post-doctoral students, marriage and family therapist interns and associate clinical social workers to the list of mental health service providers eligible to receive educational loan repayments from the Licensed Mental Health Service Provider Education Program.	
SB 1475 Business, Professions & Economic Development Committee	<u>Healing Arts – Behavioral Sciences</u>	Enacted Chapter 659
	Makes non-substantive technical changes improving the clarity of existing statutes, providing technical cleanup to the Board of Behavioral Sciences.	

(9) CEMETERY & FUNERAL

AB 886 Business & Professions Committee	<u>Human Remains: Disposition</u>	Enacted Chapter 96
	States that the right to control the disposition of a decedent's remains begins on the date your right and duty devolves (delegate to a successor or substitute) and not the date of the decedent's death.	
AB 2105 Emmerson	<u>Human Remains: Permits: Transportation</u>	Enacted Chapter 463
	Allows for the transportation of human remains, without a death certificate and a permit for disposition, from California to an adjacent state for the disposition in that state if certain circumstances exist.	
AB 2796 Mountjoy	<u>Cemeteries: Public Notice</u>	Enacted Chapter 124
	Modifies an existing signage requirement by requiring a cemetery to display a sign at the entrance to the cemetery, with the address of the	

Cemetery and Funeral Bureau or a statement informing consumers that the address of the Bureau is available at the office of the cemetery and deletes the requirement that a cemetery must post a notice identifying it as an endowment care cemetery in its sales office or offices.

**SB 1490
Ducheny**

Cemetery Regulation

**Enacted
Chapter 401**

Requires the Cemetery and Funeral Bureau to adopt regulations that establish minimum standards of maintenance for endowment care cemeteries under the jurisdiction of the Bureau.

**SB 1849
Business,
Professions
& Economic
Development
Committee**

Professions and Vocations – Cemetery/Funeral

**Enacted
Chapter 760**

Makes technical and clarifying updates to existing law within the Department of Consumer Affairs, as well as, the Department of Real Estate.

(10) CONTRACTORS

**AB 2073
Matthews**

Home Improvement Contract Exemption

**Enacted
Chapter 114**

Exempts the sale, installation, and servicing of a fire alarm, sold in conjunction with a security alarm system, from the home improvement contract requirements if the cost of making the fire alarm operable does not exceed \$500, and other conditions are satisfied.

**AB 2456
Nakanishi**

Contractors: Licenses

**Enacted
Chapter 122**

Prohibits the personnel of a contractor whose license is suspended due to outstanding financial liabilities, from serving as certain types of personnel for another licensee, and makes employment of such an individual, in certain capacities, cause for license suspension.

**AB 2457
Nakanishi**

Contractors: Home Improvement Salespersons

**Enacted
Chapter 106**

Exempts from registration as a home improvement salesperson a general partner on the license record of a partnership, and clarifies that certain individuals exempt from registering as home improvement salespersons, must be listed as personnel of record for the licensee responsible for soliciting, negotiating, or contracting for a service or improvement that is subject to regulation, at the time of the sales transaction.

**AB 2658
Harman**

Contractors: Monetary Obligations

**Enacted
Chapter 123**

Provides that in order for a contractor's license to be issued, reinstated, or reissued, satisfaction of monetary obligation or debt is required only to the extent that those obligations were not discharged, rather than adjudicated, in a bankruptcy proceeding and requires licensees to satisfy all their obligations to the extent that those obligations are not discharged under federal law.

AB 2897
Daucher

Contractors: Revoked Licenses

Enacted
Chapter 171

Prohibits a person of record of a revoked license, who meets specified criteria, from performing acts regulated by the Contractors State License Law, for a licensee, except as a bona fide non-supervising employee, and makes it a misdemeanor to violate this section, or for someone to knowingly hire an individual who meets specified criteria, in any position other than a bona fide non-supervising employee.

(11) COURT REPORTERS

AB 1293
Oropeza

Transcript Reimbursement Fund

Enacted
Chapter 457

Expands the definition of an indigent person, for the purposes of the Transcript Reimbursement Fund, which provides funding for shorthand reporting services for indigent persons, within the Court Reporters Board.

(12) DENTISTS / DENTAL AUXILIARIES

AB 1334
Salinas

Dentistry: Registered Dental Hygienists

Enacted
Chapter 850

Allows a registered dental hygienist in alternative practice to provide services to a patient for up to 18 months without written verification that a dentist or physician and surgeon have examined the patient.

SB 438
Migden

Oral and Maxillofacial Surgery

Enacted
Chapter 909

Authorizes an oral and maxillofacial surgeon, licensed as a dentist by the Dental Board, to perform "elective facial cosmetic surgical procedures" as defined, under specified circumstances.

SB 683
Aanestad

Dentistry: Licenses

Enacted
Chapter 805

Authorizes the Dental Board of California to grant a license to an applicant who passes specified national examinations in dentistry and an examination in California Law and Ethics, meets certain education requirements, and has completed a clinically based advanced education program in general dentistry or an advanced education program in general practice residency, as specified.

SB 1472
Figueroa

Dentistry: Dental Hygienists

Vetoed

Would have extended the sunset date for the Dental Board of California to July 1, 2009, created the California Dental Hygiene Bureau, and established specific criteria for licensure by the Bureau of a registered dental hygienist, a registered dental hygienist in alternative practice, or a registered dental hygienist in extended practice.

SB 1475
Business,
Professions
& Economic
Development
Committee

Healing Arts – Dentists

Enacted
Chapter 659

Makes non-substantive technical changes improving the clarity of existing statutes, providing technical cleanup to the Dental Board.

SB 1476
Figueroa

Professions and Vocations: Dental Board

Enacted
Chapter 658

Enacts the sunset recommendations of the Department of Consumer Affairs and the Joint Committee on Boards, Commissions, and Consumer Protection for various boards, including extending the sunset dates and making other statutory changes.

SB 1541
Ducheny

Registered Dental Assistants: Licensure

Enacted
Chapter 908

Provides that in order to be licensed by the Dental Board of California as a registered orthodontic assistant, registered surgery assistant, or registered restorative assistant a person must pass a written and practical exam and either complete a work experience pathway and meet certain educational requirements or specified courses.

(13) ELECTRONIC & APPLIANCE REPAIR

No bills introduced in the 2006 legislative session.

(14) ENGINEERS & LAND SURVEYORS

SB 1476
Figueroa

Professions and Vocations: Engineers: Sunset

Enacted
Chapter 658

Enacts the sunset recommendations of the Department of Consumer Affairs and the Joint Committee on Boards, Commissions, and Consumer Protection for various boards, including extending the sunset dates and making other statutory changes.

SB 1849
Business,
Professions
& Economic
Development
Committee

Professions and Vocations - Engineers

Enacted
Chapter 760

Makes technical and clarifying updates to existing law within the Department of Consumer Affairs, as well as, the Department of Real Estate.

(15) PROFESSIONAL FIDUCIARIES

SB 1550
Figueroa

Professional Fiduciaries Act

Enacted
Chapter 491

Establishes the Professional Fiduciaries Bureau in the Department of Consumer Affairs to license and regulate professional fiduciaries.

(16) GEOLOGISTS & GEOPHYSICISTS

No bills introduced in the 2006 legislative session.

(17) GUIDE DOGS

No bills introduced in the 2006 legislative session.

(18) HEARING AID DISPENSERS

No bills introduced in the 2006 legislative session.

(19) HOME FURNISHINGS & THERMAL INSULATION

SB 1849
Business,
Professions
& Economic
Development
Committee

Professions and Vocations – Home Furnishings

Enacted
Chapter 760

Makes technical and clarifying updates to existing law within the Department of Consumer Affairs, as well as, the Department of Real Estate.

(20) LANDSCAPE ARCHITECTS

AB 2256
Business &
Professions
Committee

Professions and Vocations – Landscape Architects

Enacted
Chapter 564

Provides that anyone who offers to perform professional landscape architect services, as specified, must be licensed by the Landscape Architects Technical Committee.

(21) MEDICINE

AB 1796
Bermudez

Physicians and Surgeons

Enacted
Chapter 843

Requires a physician's and surgeon's certificate applicant to obtain a passing score on Step III of the United States Medical Licensing Examination within four attempts.

AB 2198
Houston

Health Care: Controlled Substances and Dangerous Drugs

Enacted
Chapter 350

Replaces the obsolete Intractable Pain Treatment Act with statutes that address all types of pain and will more clearly delineate the duties of physicians and the authority of the Medical Board.

AB 2260
Negrete
McLeod

Approvals and Certificates of Registration: Special Faculty Permits

Enacted
Chapter 565

Makes various changes to the Medical Board's guest physician and special faculty permit program and prohibits a physician and surgeon from including a gag clause in a civil suit related to his or her practice.

AB 2283
Oropeza

Cultural Background and Foreign Language Proficiency

Enacted
Chapter 612

Requires the Medical Board of California (Board) to annually aggregate and categorize by zip code, and publish on the Board's website,

information on licensed physicians' cultural background and foreign language proficiency.

AB 2342 Nakanishi	<u>Voluntary Services: Malpractice Insurance</u>	Enacted Chapter 276
	Requires the Medical Board of California, in conjunction with the Health Professions Education Foundation, to study the issue of providing medical malpractice insurance to physicians and surgeons who provide voluntary unpaid services to indigent people in California.	
AB 2360 Lieu	<u>Medical Devices: Ultrasound</u>	Vetoed
	Would have prohibited the sale, lease, or distribution of ultrasound diagnostic imaging machines, with specified exceptions, until January 1, 2017.	
SB 736 Speier	<u>Healing Arts: Diagnostic Imaging Services</u>	Failed in Assembly Appropriations Committee
	Would have required the Medical Board to report licensees' financial interest information to the Legislature by January 1, 2008; and prohibited a physician and surgeon from billing a client or third party payor for computerized tomography, positron emission tomography, or magnetic resonance imaging services if the services were not actually performed by the physician, or within his/her practice.	
SB 1232 Runner	<u>Division of Licensing: Out-Of-State Physicians and Surgeons</u>	Enacted Chapter 133
	Makes clarifying and conforming changes to Business and Professions Code Section 2135.5, which provides an alternative to licensure for out-of-state and foreign physicians who do not qualify for licensure under Business and Professions Code Section 2135.	
SB 1260 Ortiz	<u>Reproductive Health and Research</u>	Enacted Chapter 483
	Deletes the January 1, 2005, deadline for the Department of Health Services' duty to develop guidelines for research involving the derivation or use of human embryonic stem cells in California and repeals the January 1, 2007, sunset date for all provisions associated with the project, requires a physician and surgeon to provide a patient with a written summary of health and consumer issues and obtain oral and written informed consent prior to providing ovarian stimulation to produce eggs for medical research, and prohibits any research subject from making money by producing oocytes for research and prohibits oocytes from being sold for valuable consideration.	
SB 1423 Figueroa	<u>Laser Procedures</u>	Enacted Chapter 873
	Requires the Medical Board, in conjunction with the Board of Registered Nursing and in consultation with the Physician Assistant Committee, to review the issues and problems surrounding the use of laser or intense light pulse devices for elective cosmetic procedures by physicians and surgeons, nurses, and physician assistants, and by January 1, 2009, adopt regulations relating to that practice.	

SB 1438
Figueroa

Healing Arts: Reporting Requirements

Enacted
Chapter 223

For the Medical Board, Osteopathic Medical Board and Podiatric Medical Board, provides technical cleanup to legislation that passed last year and provides greater clarity to already existing law.

SB 1638
Figueroa

Midwifery Advisory Council

Enacted
Chapter 536

Requires the Medical Board of California to create and appoint a Midwifery Advisory Council, and requires licensed midwives to provide to the Office of Statewide Health Planning and Development reports containing specified information regarding the births the midwife assisted in delivering during the prior year.

(22) NATUROPATHIC MEDICINE

No bills introduced in the 2006 legislative session.

(23) OCCUPATIONAL THERAPY

SB 1476
Figueroa

Professions and Vocations: Occupational Therapy

Enacted
Chapter 658

Enacts the sunset recommendations of the Department of Consumer Affairs and the Joint Committee on Boards, Commissions, and Consumer Protection for various boards, including extending the sunset dates and making other statutory changes.

(24) OFFICE OF PRIVACY PROTECTION

AB 2043
**Banking &
Finance
Committee**

Debt Collection: Business: Identity Theft

Enacted
Chapter 521

Extends protections, such as temporary debt relief, given to consumer debtors who have been victims of identity theft to non-consumer debtors, such as firms, corporations, and other businesses.

AB 2251
Evans

Reproductive Health Care Services: Confidentiality of Personal Information

Enacted
Chapter 486

Prohibits any person, business or association from knowingly posting or displaying on the Internet specified personal information of providers, employees, volunteers, or patients of a reproductive health services facility.

AB 2291
Evans

Vehicles: Dealer: Data Security

Enacted
Chapter 353

Requires auto manufacturers and others with access to information on an auto dealer's computer system to provide safeguards to protect that information when accessing, modifying, or extracting it.

AB 2333
Parra

Identity Theft: Fines

Died on
Senate Floor

Would have provided that every person who, with the intent to defraud,

acquires, or retains the personal identifying information of ten or more people is guilty of a crime and punishable by a \$1,000 fine, imprisonment in a county jail, or by both a fine and imprisonment, or by imprisonment in a state prison.

AB 2505 Nunez	<u>California Information Security Response Team</u> Would have established the "California Information Response Team", consisting of specific members including the Chief of the Office of Privacy Protection and would have required that "substitute notice" consist of notification to major statewide media and the Office of Privacy Protection.	Died on Senate Inactive File
AB 2886 Frommer	<u>Privacy/Identity Theft: Crime</u> Provides harsher penalties for multiple, but subsequent, convictions of identity theft and establishes penalties for mail fraud, as specified.	Enacted Chapter 522
AB 2956 Lieu	<u>Identity Theft: Increased Fines</u> Would have increased the fine for using a scanning device to commit identity theft from \$1,000 to \$2,000 and provided that any person with the intent to defraud acquires, conveys, sells, traffics, transfers, or retains possession of the personal identifying information of another person, would also be subject to that increased fine.	Died in Senate Public Safety Committee
SB 202 Simitian	<u>Privacy: Telephone Calling Pattern Record or List</u> Prohibits purchasing or selling a telephone calling pattern record or list without the written consent of the subscriber.	Enacted Chapter 626
SB 1068 Escutia	<u>Telecommunications: Customer Protection</u> Would have required the Public Utilities Commission to establish and enforce telephone consumer protection rules by July 1, 2006.	Failed in Assembly Utilities & Commerce Committee
SB 1387 Poochigian	<u>Personal Identifying Information</u> Would have redefined various identity theft terms, created a new crime; established fines, lengths of imprisonment for various identity theft crimes and created a misdemeanor or felony for violations of these provisions.	Died In Assembly Appropriations Committee
SB 1388 Poochigian	<u>Unlawful Phishing: Identity Theft</u> Would have provided that engaging in unlawful phishing with the intent to defraud is a crime punishable by a fine not to exceed \$1,000, imprisonment in a county jail not to exceed one year or by both that fine and imprisonment, or by a fine not to exceed \$10,000, imprisonment in a state prison from 16 months to three years or by both that fine and imprisonment.	Died on Assembly Appropriations Suspense File
SB 1542 Migden	<u>Vehicles: Key Information Access</u> Establishes a secure set of procedures to allow vehicle owners to obtain replacement keys for their vehicles through a registered locksmith when specific information is needed to produce a replacement "smart key."	Enacted Chapter 433

**SB 1666
Bowen**

Privacy: Pretexting Telephone Records

**Died on
Assembly
Inactive File**

Would have amended the definition of personal information to include telephone calling pattern records, prohibited a person from obtaining personal information through fraudulent means, as defined, and provided for remedies for a violation of this bill's provisions.

**SB 1699
Bowen**

Financial Transactions: Privacy

**Enacted
Chapter 682**

Beginning January 1, 2009, makes it illegal for electronically printed receipts to display more than the last five digits of a person's debit or credit card number or the expiration date on any receipt retained by the retailer and either signed by the cardholder, or not signed because the cardholder used a personal identification number to complete the transaction.

(25) OPTOMETRY

**AB 1382
Nakanishi**

Prescription Lenses: "Plano" Contact Lenses

**Enacted
Chapter 148**

Provides that it is a deceptive marketing practice for any individual or entity that sells "plano" contact lenses to represent that those lenses may be lawfully obtained without an eye examination or valid prescription, or may be dispensed to a purchaser without complying with specified requirements.

**AB 2256
Business &
Professions
Committee**

Professions and Vocations: Optometry Board

**Enacted
Chapter 564**

Eliminates provisions that require an optometric corporation to obtain a certificate of registration from, and file specified reports with, the Board of Optometry.

**SB 579
Aanestad**

Optometry: Licenses: Advertisements

**Enacted
Chapter 302**

Authorizes the Board of Optometry to issue licenses to individuals who are already licensed in another state and meet other specified requirements.

(26) OSTEOPATHIC MEDICINE

**SB 736
Speier**

Healing Arts: Diagnostic Imaging Services

**Failed in
Assembly
Appropriations
Committee**

Would have required the Medical Board to report licensees' financial interest information to the Legislature by January 1, 2008; and prohibited a physician and surgeon from billing a client or third party payor for computerized tomography (CT), positron emission tomography (PET), or magnetic resonance imaging (MRI) services if the services were not actually performed by the physician, or within his/her practice.

**SB 1438
Figueroa**

Healing Arts: Reporting Requirements

**Enacted
Chapter 223**

For the Medical Board, Osteopathic Medical Board and Podiatric Medical Board, provides technical cleanup to legislation that passed last year and provides greater clarity to already existing law.

(27) PHARMACY

AB 21 Levine	<u>Pharmacists: Practice Requirements</u> Would have allowed a pharmacist to refuse to dispense a prescription based on moral, ethical, or religious grounds, as specified.	Failed in Senate Health Committee
AB 225 Negrete McLeod	<u>Electronic Prescription Information</u> Allows the provision of non-monetary remuneration, in the form of hardware, software, or information technology and training services, which is necessary and used solely to receive and transmit electronic prescription information in accordance with the standards set forth in federal law.	Enacted Chapter 698
AB 2408 Negrete McLeod	<u>Pharmacies</u> Redefines various pharmacy terms, deletes provisions, establishes specific duties of pharmacists and reorganizes the Board of Pharmacy's provisions to provide greater clarity and extend pharmacists scope of practice to update their duties with current industry practices.	Enacted Chapter 777
AB 2583 Nation	<u>Refusal to Dispense Prescription Drugs and/or Devices</u> Requires the California Board of Pharmacy to modify an existing consumer warning notice that is required to be posted in pharmacies regarding patients' rights to receive specific medications when an individual pharmacist in a pharmacy refuses to dispense based on moral, ethical or religious grounds.	Enacted Chapter 487
SB 1475 Business, Professions & Economic Development Committee	<u>Healing Arts – Pharmacy</u> Makes non-substantive technical changes improving the clarity of existing statutes, providing technical cleanup to the Board of Pharmacy.	Enacted Chapter 659

(28) PHYSICAL THERAPY

AB 120 Cohn	<u>Physical Therapy: Continuing Education</u> Requires a licensed physical therapist or approved physical therapy assistant to complete continuing education and/or continuing competency requirements, as established by the Physical Therapy Board, in order to renew a license or approval.	Enacted Chapter 540
AB 2868 Bogh	<u>Physical Therapists</u> Permits a licensed physical therapist with a Doctor in Physical Therapy degree, or another equivalent doctoral degree, as determined by the Board of Physical Therapy, to use the title "doctor" in written and spoken communication, provided the physical therapist specifies what field the degree is in.	Enacted Chapter 222

SB 1476
Figueroa

Professions and Vocations: Physical Therapy

Enacted
Chapter 658

Enacts the sunset recommendations of the Department of Consumer Affairs and the Joint Committee on Boards, Commissions, and Consumer Protection for various boards, including extending the sunset dates and making other statutory changes.

(29) PHYSICIAN ASSISTANTS

SB 1423
Figueroa

Laser Procedures

Enacted
Chapter 873

Requires the Medical Board, in conjunction with the Board of Registered Nursing and in consultation with the Physician Assistant Committee, to review the issues and problems surrounding the use of laser or intense light pulse devices for elective cosmetic procedures by physicians and surgeons, nurses, and physician assistants, and by January 1, 2009, adopt regulations relating to that practice.

(30) PODIATRIC MEDICINE

SB 1438
Figueroa

Healing Arts: Reporting Requirements

Enacted
Chapter 223

For the Medical Board, Osteopathic Medical Board and Podiatric Medical Board, provides technical cleanup to legislation that passed last year and provides greater clarity to already existing law.

(31) PRIVATE POSTSECONDARY & VOCATIONAL EDUCATION

AB 827
Goldberg

Private Postsecondary Education: Consumer Credit Regulations

Enacted
Chapter 815

Prohibits a private postsecondary or vocational institution that is subject to the Private Postsecondary and Vocational Education Reform Act of 1989 from failing to comply with specified federal requirements relating to the disclosure of information to students regarding consumer credit contracts.

AB 2069
Maze

Public Employment Applicant Qualifications

Vetoed

Would have provided that if a public agency establishes a job description or classification for a specific position that requires possession of a particular degree, that degree must be from an accredited or approved institution.

AB 2381
Dymally

Private Postsecondary Education Reform Act of 1989

Died in Senate
Business,
Professions &
Economic
Development
Committee

Would have required an educational institution that willfully violates specified sections of the Private Postsecondary and Vocational Education Reform Act to refund all payments made by or on behalf of a student.

AB 2810 Liu	<u>Private Postsecondary Education</u>	Vetoed
	Would have extended the sunset date for the Private Postsecondary and Vocational Education Reform Act of 1989 and the Bureau for Private Postsecondary and Vocational Education for one year, to July 1, 2008.	
SB 924 Speier	<u>Driving Schools: Class A Commercial Driver's Licenses</u>	Vetoed
	Would have prohibited a truck driving school from reducing the wages of a trainee in order to recover the cost of training unless specified conditions are met, prohibited a truck driving school from advertising its training as free if a trainee is required to enter into specified agreements in order to receive the training, and specified requirements relating to behind-the-wheel instruction, the amount of instruction allowed within prescribed periods of time, and the provision of a rate schedule.	
SB 1473 Figueroa	<u>Private Postsecondary Education and Student Protection Act</u>	Died in Senate Appropriations Committee
	Would have repealed the existing Private Postsecondary and Vocational Education Reform Act of 1989; enacted the Private Postsecondary Education and Student Protection Act; and retained and enhanced existing student protections (including the Student Tuition Recovery Fund), while streamlining the Bureau's approval and renewal process, by relying on approval from specified accreditation agencies.	
SB 1568 Dunn	<u>Law Schools and Law Degree Programs</u>	Enacted Chapter 534
	Shifts the regulatory and oversight responsibilities over unaccredited law schools from the Bureau for Private Postsecondary and Vocational Education to the Committee of Bar Examiners of the State Bar of California, effective January 1, 2008.	
(32) PSYCHOLOGY		
AB 733 Nation	<u>Psychotherapists: Duty to Warn</u>	Enacted Chapter 136
	Provides that a psychotherapist is not monetarily liable or liable for a cause of action for exercising his or her duty to warn under limited circumstances.	
AB 1852 Yee	<u>Licensed Mental Health Service Provider Education Program</u>	Enacted Chapter 557
	Adds certain psychology post-doctoral students, marriage and family therapist interns and associate clinical social workers to the list of mental health service providers eligible to receive educational loan repayments from the Licensed Mental Health Service Provider Education Program.	
AB 2257 Business & Professions Committee	<u>Psychologists: Records Retention</u>	Enacted Chapter 89
	Requires psychologists to retain patients' records for at least seven years from the patients' discharge date and seven years from the date a minor patient turns eighteen and creates a new crime should this provision be violated.	

**SB 1475
Business,
Professions
& Economic
Development
Committee**

Healing Arts – Psychology

Makes non-substantive technical changes improving the clarity of existing statutes, providing technical cleanup to the Psychology Board.

**Enacted
Chapter 659**

(33) REGISTERED NURSING

**SB 1423
Figueroa**

Laser Procedures

Requires the Medical Board, in conjunction with the Board of Registered Nursing and in consultation with the Physician Assistant Committee, to review the issues and problems surrounding the use of laser or intense light pulse devices for elective cosmetic procedures by physicians and surgeons, nurses, and physician assistants, and by January 1, 2009, adopt regulations relating to that practice.

**Enacted
Chapter 873**

(34) RESPIRATORY CARE

No bills introduced in the 2006 legislative session.

(35) SECURITY & INVESTIGATIVE SERVICES

**AB 2318
Calderon**

Repossessors

This clean-up bill to the Collateral Recovery Act clarifies what items a reposessor is obligated to remove from a repossessed vehicle and allows for increased fines for a repossession agency when it fails to register a reposessor employed by that agency.

**Enacted
Chapter 418**

**SB 1849
Business,
Professions
& Economic
Development
Committee**

Professions and Vocations – Security and Investigative Services

Makes technical and clarifying updates to existing law within the Department of Consumer Affairs, as well as, the Department of Real Estate.

**Enacted
Chapter 760**

(36) SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY

**SB 1285
Aanestad**

Speech-Language Pathology

Expands the scope of practice for a speech-language pathologist to include performing suctioning in connection with their existing scope of practice and after complying with medical facilities' training protocols on suctioning procedures.

**Enacted
Chapter 153**

**SB 1475
Business,
Professions
& Economic
Development
Committee**

Healing Arts – Speech-Language Pathology and Audiology

Makes non-substantive technical changes improving the clarity of existing statutes, providing technical cleanup to the Speech-Language Pathology & Audiology Board.

**Enacted
Chapter 659**

(37) STRUCTURAL PEST CONTROL

AB 87
Bermudez

Trapping: License Exemptions

Enacted
Chapter 406

Exempts structural pest control operators licensed by the Structural Pest Control Board and persons licensed by the Department of Pesticide Regulation from having to obtain a trapping license from the Department of Fish and Game when trapping specified mammals.

AB 2247
La Suer

Structural Pest Control

Died on
Senate Floor

This bill, which only applies to San Diego County, would have required a notice of proposed action to be sent within 60 days of the initial notice of violation.

(38) SUNSET REVIEW

AB 2810
Liu

Private Postsecondary Education

Vetoed

Would have extended the sunset date for the Private Postsecondary and Vocational Education Reform Act of 1989 and the Bureau for Private Postsecondary and Vocational Education for one year, to July 1, 2008.

AB 2914
Leno

Limited Liability Partnerships: Architecture

Enacted
Chapter 426

Among other things, extends the sunset date of January 1, 2007, for architecture limited liability partnerships (LLP) and foreign LLPs to January 1, 2012.

SB 1472
Figueroa

Dentistry: Dental Hygienists

Vetoed

Would have extended the sunset date for the Dental Board of California to July 1, 2009, created the California Dental Hygiene Bureau, and established specific criteria for licensure by the Bureau of a registered dental hygienist, a registered dental hygienist in alternative practice, or a registered dental hygienist in extended practice.

SB 1474
Figueroa

State Board of Barbering and Cosmetology

Enacted
Chapter 253

Extends the sunset date of the Board of Barbering and Cosmetology (Board) until July 1, 2008, and requires the Board to annually elect officers from among its members, each of whom would hold office for a term of one year.

SB 1476
Figueroa

Professions and Vocations: Sunset Review

Enacted
Chapter 658

Enacts the sunset recommendations of the Department of Consumer Affairs and the Joint Committee on Boards, Commissions, and Consumer Protection for various boards, including extending the sunset dates and making other statutory changes.

(39) TELEPHONE MEDICAL ADVICE SERVICES

SB 1475
Business,
Professions
& Economic
Development
Committee

Healing Arts – Telephone Medical Advice Services

Enacted
Chapter 659

Makes non-substantive technical changes improving the clarity of existing statutes, providing technical cleanup to the Telephone Medical Advice Services Program.

(40) VETERINARY MEDICINE

AB 2915
Saldana

Veterinary Medicine: Licensure

Enacted
Chapter 823

Exempts from veterinary licensure requirements veterinarians employed by a city, city and county, or county who meet specified criteria and who are conducting activities under direct supervision, related to pathology and epidemiology on dead animals as part of specified government programs.

(41) VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS

SB 1475
Business,
Professions
& Economic
Development
Committee

Healing Arts – Vocational Nursing and Psychiatric Technicians

Enacted
Chapter 659

Makes non-substantive technical changes improving the clarity of existing statutes, providing technical cleanup to the Telephone Medical Advice Services Program.